

Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

BIOTIN BIOSYNTHETIC GENES

the specification of which

(check one)

☐ is attached hereto

☒ was filed on September 22, 1997 as

Application Serial No. 08/935,263

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>96115540.5</u>	<u>Europe</u>	<u>27 / September / 1996</u>
(Number)	(Country)	(Day/Month/Year Filed)
_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)
_____	_____	_____
(Number)	(Country)	(Day/Month/Year Filed)

<input checked="" type="checkbox"/>	<input type="checkbox"/>
Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
Yes	No

I hereby claim the benefit of Title 35, United States Code, § 1. If United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.
(list name and registration number)

George W. Johnston	(Reg.No. 28090)	Patricia S. Rocha-Tramalon	(Reg.No. 31054)
William H. Epstein	(Reg.No. 20008)	Ellen C. Coletti	(Reg.No. 34140)
Dennis P. Tramalon	(Reg.No. 28542)	Bruce A. Pokras	(Reg.No. 32748)

Send Correspondence to:

George W. Johnston, Esq., Hoffmann-La Roche Inc., 340 Kingsland Street, Nutley, New Jersey 07110-1199

Direct Telephone Calls to: (name and telephone number)

Bruce A. Pokras (973) 235-5801

Full name of sole or first inventor

Yasuhiro Furuichi
Inventors signature

Date

Residence

Yasuhiro Furuichi

January 21st, 1998

Kamakura-shi, Japan

Citizenship

Japan

Post Office Address

Terabun 3-24-9, Kamakura-shi, Kanagawa-ken, Japan

Full name of sole or second inventor

Tatsuo Hoshino
Inventors signature

Date

Residence

Tatsuo Hoshino

December 11, 1997

Kamakura-shi, Japan

Citizenship

Japan

Post Office Address

Fueta 808-47, Kamakura-shi, Kanagawa-ken, Japan

(Supply similar information and signature for third and subsequent joint inventors.)

Full name of sole or third inventor, if any

Hitoshi Kimura

Inventors signature

Hitoshi Kimura

Date

January 21, '98

Residence

Odawara-shi, Japan

Citizenship

Japan

Post Office Address

Satsukigaoka 8-13, Odake 882-24, Odawara-shi, Kanagawa-ken, Japan

Full name of sole or fourth inventor, if any

Tatsuya Kiyasu

Inventors signature

Tatsuya Kiyasu

Date

December 11, '97

Residence

Fujisawa-shi, Japan

Citizenship

Japan

Post Office Address

Honcho 3-9-3-103, Fujisawa-shi, Kanagawa-ken, Japan

Full name of sole or fifth inventor, if any

Yoshie Nagahashi

Inventors signature

Yoshie Nagahashi

Date

December 11, '97

Residence

Fujisawa-shi, Japan

Citizenship

Japan

Post Office Address

Shonandai 6-3-2-203, Fujisawa-shi, Kanagawa-ken, Japan

Title 37, Code of Federal Regulations, §1.56, duty to disclose information material to patentability (in part) provides, in part, that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned.

Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim: or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

Docket No.: 13761 US (C38435/109708)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Yasuhiro FURUICHI, *et al.*

Serial No.: 08/935,263

Filed: September 22, 1997

For: BIOTIN BIOSYNTHETIC GENES

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Examiner C. Fronda

Art Unit 1652

New York, New York
June 7, 2000

POWER OF ATTORNEY TO ASSOCIATE ATTORNEY

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Please recognize Mark E. Waddell, Reg. No. 31,803; Stephen M. Haracz, Reg. No. 33,397; Warren MacRae, Reg. No. 37,876; Kevin C. Hooper, Reg. No. 40,402; Kathleen Gersh, Reg. No. 41,806; Leo G. Lenna, Reg. No. 42,796; Robert J. Lipka, Reg. No. 42,807; and Stephen J. Brown, Reg. No. 43,519 as associate attorneys with full power to do and perform all acts in connection with the above-captioned matter.

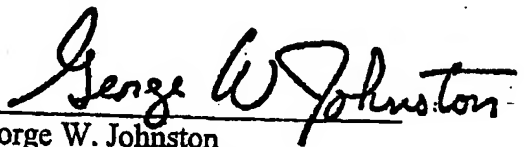
Please address all correspondence to:

Mark E. Waddell
BRYAN CAVE LLP
245 Park Avenue
New York, NY 10167-0034
(212) 692-1800

Respectfully submitted,

Date: June 7, 2000

By:



George W. Johnston
Registration No. 28,090
Hoffmann-La Roche Inc.
340 Kingsland Street
Nutley, New Jersey 07110-1199
tel. 973 235-3656